20. The method of claim 16 wherein the multimedia files stored in the data repository represent multimedia transactions, and are characterized with tags according to one or more of date, time, participants, file type, company affiliation of participants, subject or issue, and relationship to other multimedia files, and wherein IMVs are limited through the editable layer to tags of the multimedia files.

REMARKS

This response is to the Office Action mailed on September 25, 2000 in the above-referenced case. Claims 1-20 are presented for examination. Figure 11 is objected to by the Examiner. Claims 1-2, 6-7, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood (US 5,983,218) hereinafter Syeda, in view of Torres et al. (US 5,897,635) hereinafter Torres. Claims 3-5, 8-10, 11-12, 13-15, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda, Torres, and further in view of Goetz et al. (US 5,956,729) hereinafter Goetz.

In response to the Office Letter applicant has carefully studied the prior art and the Examiner's rejections and statements. Applicant provides arguments and clear reasoning to show the patentable differences between applicant's claimed invention and that of the prior art as cited and applied by the Examiner.

Claim 16 recites:

16. In a Multimedia Communication Center environment which includes access to and rendering of multimedia files stored in a data repository, a method for assembling an Interactive Multimedia Application (IMA), comprising steps of:

selecting software modules providing functionality for an Interactive Multimedia Application, including at least one selectable Interactive Multimedia Viewer (IMV) software module having a code set for accessing and rendering media code from multimedia files stored in a data repository and an editable layer allowing the programmer to program limitations limiting access by the IMV to preselected media files;

editing the editable layer of the at least one IMV; and

joining the selected and edited modules to form the IMA.

Claim 16 is rejected under 103(a) as being unpatentable over Syeda in view of Torres. Applicant is becoming frustrated with dealing with this tactic of quoting the applicant's claim language and attributing it to a reference, rather than the more straightforward approach of actually dealing with what the reference actually teaches. In the Examiner's rejections columns with line numbers of the references of Syeda and Torres are cited along with remarks from the Examiner that are entirely unrelated to the portions of the recited claim language under examination. A more responsible approach would be for the Examiner to quote <u>the actual teaching of the reference</u>, and then argue how that teaching reads on the applicant's claim. The Examiner is citing portions of the reference, then quoting parts of applicant's claims which are plainly and clearly not mentioned in the reference. What the Examiner relates to the reference is pure conjecture.

Applicant respectfully requests the Examiner <u>please examine the applicant's claims</u>, providing a reasonable reference that actually discloses at least a considerable portion of the claimed invention. As it stands the rejections fail to achieve the Prima Facie standard.

The Examiner states that Syeda discloses selecting first selectable software modules providing functionality for an IMV, (actually, the applicant's claim reads IMA) other than access and rendering of the multimedia files (The Examiner states

this disclosure is about the design of multimedia databases col. 3, lines 61-64).
Applicant cannot understand how column 3, lines 61-64 of Syeda relates to the
portion of applicant's claim quoted by the Examiner. Column 3, lines 61-64 of
Syeda recites; "This disclosure is about the design and integration of multimedia
databases, but more particularly for a design of multimedia databases for use over
networks such as the WWW. This portion of Syeda only supports a teaching of
multimedia databases in a WWW environment, period.

The Examiner's statement that Syeda discloses selecting first selectable
software modules providing functionality for an IMV (actually IMA) is simply not
correct, as the portion of the reference of Syeda quoted by the Examiner does not
state, support or relate to applicant's claim language in any way.

The Examiner continues to recite another portion of Syeda (col. 4, lines
10-30) to support the Examiner's assertion that Syeda discloses selecting first
selectable software modules providing functionality for an IMV (IMA). Column 4,
lines 10-30 of Syeda discloses, in short, that a computational framework is
presented for the design of multimedia databases, methods for index creation on
multimedia content , image and video data, to enable the descriptions of the
database queries, direct interactive dialog between the WEB client and the
multimedia database. Nowhere in the above portion of Syeda is there disclosure
for selecting first selectable software modules providing functionality for an IMV
(IMA).

The Examiner continues to state that Syeda discloses the selecting of at
least one selectable Interactive Multimedia Viewer (IMV) software module
including a code set adapted to access and render media code from multimedia
files in a data repository. And that this reference teaches a WEB-based multimedia
retrieval system... the design of a WEB sever that can select and coordinate
information flow between the data base sites and the user sites (col. 4,lines 4-10).

Applicant fails to see how column 4, lines 4-10 discloses the selecting at

least one IMV software module including a code set for accessing and rendering media code from multimedia files in a data repository for <u>assembling an Interactive Multimedia Application (IMA)</u> as claimed in applicant's invention. Column 4, lines 4-10 of Syeda recites; *"Briefly, the invention is part of a web-based multimedia data retrieval system which integrates the information presentation capabilities of the Web browsers with the power of a multimedia database design. In designing such a system, two main technical issues must be addressed, namely, the design of multimedia database systems at web sites, and the design of a web server that can select and coordinate information flow between database sites and the user sites. "* Again, applicant wonders where in the portion of Syeda, relied on by the Examiner, is there a teaching for selecting at least one IMV software module for assembling an IMA? Syeda discloses a WEB server having the capability of *selecting and coordinating information flow between database sites and the user sites.* This is quite clearly not the same thing.

In the present Office Action the Examiner states that Syeda discloses an editable layer to program limitations limiting access to pre-selected media files. The Examiner supports this statement by providing a portion of the Syeda reference which recites; *"A set of generic rules will be constructed to conduct the refinement of the site relevancy of query-data patterns extracted from web database sites. "* This portion of Syeda refers to the functionality of a "refining module 17" which does not mention or suggest that the purpose of module is for programming limitations limiting access to pre-selected media files <u>as claimed</u> in applicant's invention. The context of Syeda clearly teaches that the role of the refining module in the WEB server is to observe the pattern of responses from databases for posed queries and learn the association between visual query patterns and database responses.

It is clear that Syeda, as presented by the Examiner, fails to teach, disclose, or suggest <u>any</u> of the method steps of applicant's claim 16. It is clear to the

applicant that the Examiner is not examining applicant's claim 16 in it's entirety in which the step limitations are for assembling an IMA. Therefore, applicant believes that the 103(a) rejection simply fails as Syeda does not support the rejection as stated by the Examiner.

The Examiner states that Though both Syeda and Torres do not use the terms "the software modules" and "Interactive Multimedia Viewer" as claimed, it would have been obvious to one of ordinary skill in the art to have combined Syeda into Torres since the system of Syeda and Torres show the accessing and rendering of the multimedia files as well as editing and customizing the multimedia presentations, where the multimedia is from the repository, through the CUI for forming the Interactive Multimedia Application.

Applicant respectfully points out to the Examiner that it is the unique architecture of using the software modules in building IMA's and editing IMV's that is a large part of the patentable subject matter at the heart of the invention, and by removing this portion of applicant's claim language by the Examiner, the Examiner fails to properly examine the claim as a whole, which examining the claim as a whole is required.

Applicant believes claim 16 is patentable over the prior art. Applicant has showed through detailed argument that the Examiner has failed to show a prima facie case of obviousness. Syeda is not a reference that teaches any part of applicant's claimed invention. Syeda also does not place the needed subject matter supporting the obviousness rejection in the public domain before the date of applicant's invention, which is required in order for Syeda to be a valid reference. Claims 17-19 are patentable on their own merits, or at least as depended from a patentable claim.

Regarding claim 20, the Examiner responds to applicant's argument that Goetz does not teach the tags that characterize multimedia files by admitting that

Goetz does not disclose explicitly said tags but Goetz does disclose that each multimedia file has the file type, the time, the size and the relationship with other multimedia files. The Examiner states these attributes, which function as tags, characterize the media files and can be used to view a multimedia file.

Applicant strongly traverses the Examiner's remarks that the attributes pertaining to multimedia files in Goetz function as tags, as claimed in applicant's claim 20. The Examiner references portions of Goetz to support the statement (col. 11, lines 26-38, col. 12, lines 1-14, col. 7, lines 56-67, col. 8 lines 1-46). Column 11, lines 26-38 of Goetz merely establishes that Goetz teaches that MIME types are supplied for files which specify a "file type". Col. 12, lines 1-14 of Goetz discloses that the WEB server application **1040** sends a configuration message to a multimedia client application **1020** specifying among other things, the sizes and relationships of the information to be produced (in the same file). Column 8 of Goetz teaches detailed methods for "pre-packetizing" audio and video information for data packet streaming, and does not pertain with the use of "tags" as disclosed in applicant's invention.

Applicant's claim 20 recites that the multimedia files stored in the data repository represent multimedia transactions, and are characterized with tags according to one or more of date, time, participants, file type, company affiliation of participants, subject or issue, and relationship to other multimedia files, and wherein IMVs are limited through the editable layer to tags of the multimedia files. Goetz simply does not teach any attributes which identify portions of media transactions as claimed, or limit access to files using the tags. Applicant believes claim 20 is patentable over the art of Goetz as argued above, on it's own merits.

Claim 1 recites:

1. In an object-oriented programming interface for use by a programmer in a

computer readable medium, a software Interactive Media Viewer (IMV) module, comprising:

    a code set adapted to access and render media code from multimedia files stored in a data repository; and

    an editable layer allowing the programmer to program selective control of access by the IMV to the multimedia files.

Regarding claim 1, the Examiner states that the IMV recited in claim 1 is disclosed in claim 16 and is therefore rejected under the same rational. As argued extensively on behalf of claim 16 above, the IMV software module including an editable layer allowing the programmer to program selective control of access by the IMV to the multimedia files, is certainly not taught or suggested in the art provided by the Examiner. Applicant believes that claim 1 is therefore patentable over the art of Syeda and Torres. Claims 2-5 are also patentable at least as depended from a patentable claim.

Claim 6 herein recites:

6. A programming application for creating an Interactive Multimedia Application (IMA), in a computer readable medium, which includes access to and rendering of multimedia files stored in a data repository, comprising:

    first selectable software modules providing functionality for an Interactive Multimedia Application; and

    at least one selectable Interactive Multimedia Viewer (IMV) software module including a code set adapted to access and render media code from multimedia files stored in a data repository and an editable layer allowing [the] a programmer to program selective control of access by the IMV to the multimedia files;

wherein by selecting, including, and editing software modules the programmer is enabled to create the IMA.

Regarding claim 6, the Examiner states that the claim is a programming application to perform the method disclosed in claim 16 and is rejected under the same rational. Applicant believes claim 6 is also patentable as argued on behalf of claim 16. Claims 7-10 are patentable at least as depended from a patentable claim.

Claim 11 recites:

11. A multimedia communication center, having a programming application for creating an Interactive Multimedia Application (IMA), in a computer readable medium, comprising:

an access interface for outside communication;

an interface to communication center personnel;

a storage system for recording multimedia transactions in a data repository, the stored transactions characterized by tags representing one or more of date, time, participants, file type, company affiliation of participants, subject or issue, and relationship to other multimedia files; and

a programming application for creating the IMA which includes access to and rendering of the multimedia files stored in the data repository;

wherein the programming application is characterized by first selectable software modules providing functionality for an Interactive Multimedia Application including at least one selectable Interactive Multimedia Viewer (IMV) software module including a code set adapted to access and render media code from multimedia files stored in a data repository and an editable layer allowing the programmer to program selective control of access by the IMV to the

multimedia files, wherein by selecting, including, and editing software modules the programmer is enabled to create the IMA.

Claim 11 is rejected under 103(a) as being unpatentable over Syeda, Torres and Goetz. The Examiner states that claim 11 is for a multimedia communication center which includes the limitations of claim 6, the storage system for recording multimedia file (rejected claim 20), and the access interface (Torres, col. 1, lines 39-48; col. 2, lines 5-34), therefore is rejected under the same rational applied to these claims.

Applicant believes claim 11 is patentable as argued in detail on behalf of claims 16, 6 and 20.

The art provided by the Examiner shows a part of the basic components known in the art, but the art simply fails to teach or suggest a function or combination of the art to substantiate a prima facia case of obviousness rejecting applicant's invention. The unique architecture of creating or assembling an Interactive Multimedia Applications using software modules as building blocks for the IMA, wherein at least one of the software modules is a viewer which is editable to limit it's ability to access and render multimedia files from a multimedia database is a unique and patentable invention certainly not shown or suggested in the art provided by the Examiner. Applicant believes claim 11 is clearly patentable over the art provided by the Examiner. Claims 12-15 are also patentable on their own merits or at least as depended from a patentable claim.

As all of the claims standing for examination as amended have been shown to be patentable over the art of record, applicant respectfully requests reconsideration and that the present case be passed quickly to issue. If there are any time extensions due beyond any extension requested and paid with this amendment, such extensions are hereby requested. If there are any fees due beyond any fees paid with the present amendment, such fees are authorized to be deducted from deposit account 50-0534.

Respectfully Submitted,
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by

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